

Subpart ZZ—Wyoming

§ 52.2620 Identification of plan.

(a) Title of plan: "Implementation Plan for Air Quality Control, State of Wyoming."

(b) The plan was officially submitted on January 26, 1972.

(c) The plan revisions listed below were submitted on the dates specified.

(1) Compliance schedule information in three plants submitted March 28, 1972, by the Department of Health and Social Services (DHSS). (Non-regulatory.)

(2) Procedural clarification to emergency episodes plan submitted May 3, 1972, by DHSS.

(3) Particulate compliance schedules submitted February 9, 1973, by DHSS.

(4) Emergency episode plan submitted February 27, 1973, by DHSS. (Non-regulatory.)

(5) Compliance schedules submitted on March 1, 1973, by DHSS.

(6) Revision of Wyoming's Standards and Regulations (Chapter I, Section 1-20) submitted April 18, 1973, by DHSS.

(7) Revision of particulate control strategy to require compliance with particulate standards not later than January 31, 1974, except where approved by EPA and compliance schedule portions of the plan submitted May 29, 1973, by DHSS.

(8) Compliance schedule revisions, legal authority additions, update of Wyoming's Air Quality Standards and Regulations, non-regulatory source surveillance and new source review procedures submitted on August 7, 1974, by the Governor.

(9) Legal authority additions and compliance schedule revisions submitted on February 19, 1976, by the Governor.

(10) Requirements for continuous opacity monitoring by all fossil fuel fired steam generators with heat inputs in excess of 250 million Btu per hour and other miscellaneous revisions to the State regulations as submitted by the Air Quality Division (AQD) on May 9, 1978.

(11) Provisions to meet the requirements of Parts C and D and sections 110, 126, and 127 of the Clean Air Act, as amended in 1977 were submitted on January 26, 1979.

(12) A revision to Section 14 of the Wyoming Air Quality Standards and Regulations was submitted on July 18, 1980, and October 27, 1980.

(13) On August 26, 1981 and August 27, 1981, Wyoming submitted revisions to the requirements for Prevention of Significant Deterioration, the Air Quality Monitoring Plan, revisions to the Emergency Episode Contingency Plan, and revisions to stationary source permitting regulations.

(14) Revisions to the new source permit requirements in Sections 21 and 24 of the Wyoming regulations were submitted on April 30, 1981, and February 8, 1982.

(15) On August 30, 1984, the State of Wyoming submitted a plan revision for lead.

(16) Revisions to the new source permit requirements in sections 21 and 24 of the Wyoming regulation for visibility protection were submitted on April 12, 1985.

(i) Incorporation by reference.

(A) Letter from Randolph Wood, Administrator, Wyoming Air Quality Division, dated April 12, 1985, submitting the Wyoming Visibility SIP and Regulations.

(B)(1) Wyoming Air Quality Standards and Regulations (WAQSR), Section 21.n. (1) and (2) adopted on January 22, 1985.

(2) WAQSR, Section 24.b.(1)(f) adopted on January 22, 1985.

(3) WAQSR, Section 24.b.(6) (a) and (b) revised and adopted on January 22, 1985.

(17) A revision to the SIP was submitted by the Administrator of the Wyoming Air Quality Division on September 6, 1988, for visibility general plan requirements, monitoring, and long-term strategies.

(i) Incorporation by reference.

(A) Letter dated September 6, 1988, Charles A. Collins, Administrator of the Wyoming Air Quality Division, submitting a SIP revision for visibility protection.

(B) The SIP revision for visibility protection, "Section 28 *Visibility*" of the Wyoming Air Quality Standards and Regulations, and "Wyoming State Implementation Plan for Class I Visibility Protection" was adopted by the Wyoming Environmental Quality

Council on March 23, 1988, and became effective on May 10, 1988.

(18) On September 6, 1988, the Administrator of the Air Quality Division, as the Governor's designee, submitted a plan revising the stack height regulations, Wyoming Air Quality Standards and Regulations (WAQSR) section 21(d).

(i) Incorporation by reference.

(A) Revisions to the Wyoming Air Quality Standards and Regulation section 21(d), stack heights, were adopted and effective on May 10, 1988.

(19) In a letter dated August 5, 1986, the Administrator of the Air Quality Division of Wyoming, submitted the stack height demonstration analysis. EPA is approving the demonstration analysis for all of the stacks.

(i) Incorporation by reference. (A) Stack height demonstration analysis submitted by the State in a letter dated August 5, 1986.

(20) A revision to the SIP was submitted by the Administrator of the Wyoming Air Quality Division on March 14, 1989, to address the Group III PM-10 SIP requirements and Group II PM-10 SIP requirements for Lander, Wyoming.

(i) Incorporation by reference.

(A) Amendments to the Wyoming Air Quality Standards and Regulations: section 2 (Definitions) (a)(xxx), section 3 (Ambient Standards for Particulate Matter) (a), section 20 (Air Pollution Emergency Episodes) (b)(ii), section 21 (Permit Requirements for Construction, Modification, and Operation) (c)(ii) and section 24 (Prevention of Significant Deterioration) (a)(xx)(A), (b)(i)(E)(VI)(1)(c)(f)(h.) & (1.), (b)(iii), (b)(iv), (b)(viii), and (b)(xii)(D)(E)(F) & (G), effective February 13, 1989.

(B) March 14, 1989 letter from Charles A. Collins, Administrator of the Wyoming Air Quality Division to James J. Scherer, EPA Region VIII Regional Administrator, identifying the effective date of the above regulation amendments.

(21) On November 20, 1990, the Governor of Wyoming submitted revisions to the plan. The revisions include amendments to the prevention of significant deterioration of air quality (PSD) regulations to incorporate the nitrogen dioxide (NO₂) increments, re-

visions to the new source review requirements and PSD regulations to make them federally enforceable, and revisions to the PSD regulations to allow establishment of multiple baseline areas which may have different baseline dates and different baseline concentrations.

(i) *Incorporation by reference.* (A) Revisions to the Wyoming Air Quality Standards and Regulations, Section 2, *Definitions*, Section 21, *Permit Requirements for Construction, Modification, and Operation*, and Section 24, *Prevention of Significant Deterioration*, effective October 30, 1990.

(ii) *Additional material.* (A) November 5, 1990, letter from Douglas Skie, EPA, to Charles A. Collins, Administrator, Air Quality Division, Wyoming Department of Environmental Quality.

(22) On September 6, 1988, the Governor of Wyoming submitted revisions to Section 3 of the Wyoming Air Quality Standards and Regulations, adding subsection (d) which defines "ambient air" for surface coal mines located in Wyoming's Powder River Basin.

(i) Incorporation by reference.

(A) Revisions to Section 3(d) of the Wyoming Air Quality Standards and Regulations, effective June 5, 1987.

(ii) Additional material.

(A) Memorandum of Agreement signed on December 22, 1993 by Dennis Hemmer, Director, Department of Environmental Quality, State of Wyoming, and on January 24, 1994 by Patricia D. Hull, Director, Air, Radiation and Toxics Division, EPA Region VIII.

(23) On November 1, 1993, the Governor of Wyoming submitted a plan for the establishment and implementation of a Small Business Assistance Program to be incorporated into the Wyoming State Implementation Plan as required by section 507 of the Clean air Act.

(i) Incorporation by reference.

(A) November 1, 1993, letter from the Governor of Wyoming submitting a Small Business Assistance Program plan to EPA.

(B) The State of Wyoming plan for the establishment and implementation of a Small Business Assistance Program, adopted September 16, 1993, by the Wyoming Environmental Quality Council.

(24) On August 28, 1989, the Governor of Wyoming submitted revisions to the Wyoming State implementation plan (SIP) for Sheridan, Wyoming. In addition to the original August 28 submittal, eight submittals containing information in response to EPA requests and to the new Clean Air Act Amendments were submitted. The August 28, 1989, submittal, in combination with the eight subsequent submittals, satisfy those moderate PM₁₀ nonattainment SIP requirements due on November 15, 1991. Included in the August 28, 1989, submittal were PM₁₀ contingency measures for Sheridan to satisfy the requirements of section 172(c)(9) of the Act that were due by November 15, 1993.

(i) Incorporation by reference.

(A) "The City of Sheridan, Air Quality Maintenance Plan," including the Street Winter Maintenance Plan and the contingency plan calling for the use of deicing chemicals on downtown streets, adopted on February 21, 1989.

(ii) Additional material.

(A) Letter dated November 21, 1989, from the Wyoming Department of Environmental Quality to EPA which includes a memorandum dated November 15, 1989 from the Wyoming Attorney General's Office to the Wyoming Department of Environmental Quality; the memorandum includes Wyoming Statute 35-11-201.

(25) On November 12, 1993, the Governor of Wyoming submitted revisions to the Wyoming State Implementation Plan (SIP). Specifically, the State submitted revisions to the Wyoming Air Quality Standards and Regulations (WAQSR), section 21 "Permit requirements for construction, modification and operation." Among other things, these revisions were made to address the non-attainment New Source Review (NSR) provisions of part D of the Act for PM₁₀ nonattainment areas, which were due to EPA on June 30, 1992.

(i) Incorporation by reference.

(A) The following subsections of section 21 of the Wyoming Air Quality Standards and Regulations "Permit requirements for construction, modification and operation," adopted on September 16, 1993 and effective October 26,

1993: subsections (a)(ii), (a)(iii), (a)(v), (c)(ii)(B), (k)(vii) and (o).

(ii) Additional material.

(A) Letter from Mary A. Throne, Assistant Attorney General, to the Governor of Wyoming, dated October 1, 1993, documenting the necessary legal authority under state law to adopt and implement the revised regulation.

(26) On March 14, 1995, the Governor of Wyoming submitted revisions to the prevention of significant deterioration permitting regulations in Section 24 of the Wyoming Air Quality Standards to incorporate changes in the Federal PSD permitting regulations for utility pollution control projects, PM-10 increments, and to make other minor changes.

(i) Incorporation by reference.

(A) Revisions to Section 24 of the Wyoming Air Quality Standards, subsections (a)(ix)(B), (a)(x)(H)-(K), (a)(xii)(D), (a)(xv), (a)(xix)(D) and (E), (a)(xxviii)-(xxxv), (b)(i)(A)(I), (b)(i)(E)(VI)(I), (b)(viii), and (b)(xii)(I), effective 2/13/95.

(27) On September 15, 1982, the Administrator of the Wyoming Air Quality Division submitted clarifications and revisions to the particulate matter control requirements of Section 25 of the Wyoming Air Quality Standards and Regulations (WAQSR) for FMC Corporation in the Trona Industrial Area. In addition, on May 16, 1985, the Administrator of the Wyoming Air Quality Division submitted revisions to the construction permitting requirements in Section 21 of the WAQSR to specify guidelines for best available control technology for new large mining operations. The Governor of Wyoming submitted revisions to Section 21 of the WAQSR, "Permit requirements for construction, modification, and operation," on November 12, 1993. Last, the Governor of Wyoming submitted revisions to Section 24 of the WAQSR, "Prevention of Significant Deterioration," on March 14, 1995.

(i) Incorporation by reference.

(A) Revisions to Section 25 of the WAQSR, "Sweetwater County Non-Attainment Area Particulate Matter Regulations," subsection c.(2), effective September 13, 1982.

(B) Revisions to Section 21 of the WAQSR, "Permit requirements for

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construction, modification, and operation,” subsection c.(5), effective May 10, 1985.

(C) Revisions to Section 21 of the WAQSR, “Permit requirements for construction, modification, and operation,” subsection (a)(iv), effective October 26, 1993.

(D) Revisions to Section 24 of the WAQSR, “Prevention of Significant Deterioration,” subsections (a)(xix), (b)(iv), and (b)(xii)(H), effective February 13, 1995.

[37 FR 10903, May 31, 1972]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2620, see the List of CFR Sections Affected in the Finding Aids section of this volume.

EFFECTIVE DATE NOTE: At 64 FR 27181, May 19, 1999, § 52.2620 was amended by adding paragraph (c)(27), effective July 19, 1999.

§ 52.2621 Classification of regions.

The Wyoming plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Cheyenne Intrastate	II	III	III	III	III
Casper Intrastate	II	III	III	III	III
Wyoming Intrastate	III	III	III	III	III

[37 FR 10904, May 31, 1972]

§ 52.2622 Approval status.

With the exceptions set forth in this subpart, the Administrator approves Wyoming’s plans as meeting the requirements of section 110 of the Clean Air Act, as amended in 1977. Furthermore, the Administrator finds that the plans satisfy the requirements of Part D, Title I, of the Clean Air Act.

[44 FR 38475, July 2, 1979]

§§ 52.2623–52.2624 [Reserved]

§ 52.2625 Compliance schedules.

(a) The compliance schedules for the sources identified below are approved as meeting the requirements of Subpart N of this chapter. All regulations cited are found in the “Wyoming Air Quality Standards and Regulations, 1975.”

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Source	Location	Regulations involved	Date of adoption	Effective date	Final compliance date
Pacific Power & Light	Glenrock	14 (b), (e), (h)	Feb. 26, 1973 ..	Immediately	Sept. 1, 1976.
Montana-Dakota Utilities	Sheridan	14 (b), (e), (h)	.....do .....	.....do	Dec. 31, 1976.
Utah Power & Light	Kemmerer	14 (b), (e), (h)	.....do .....	.....do	Do.
Black Hills Power & Light	Wyodak	14 (b), (e), (h)	.....do .....	.....do	May 1, 1978.
Do	Osage	14 (b), (e) .....	.....do .....	.....do	May 15, 1977.
American Oil	Casper	14 (b), (e), (h)	Jan. 26, 1973 ..	.....do	Jan. 31, 1974.
Basins Engineering	Wheatland	14 (b), (e), (f), (g).	June 6, 1974 ...	.....do	Apr. 5, 1974.
Stauffer Chemical Co	Green River	14 (b), (e), (f), (g).	.....do .....	.....do	Oct. 31, 1973.
Do	Leefe	14 (b), (e), (f), (g).	Feb. 26, 1973 ..	.....do	Nov. 1, 1976.
Barold Division of National Lead	Osage	14 (b), (e), (f), (g).	Jan. 26, 1973 ..	.....do	Dec. 31, 1975.
Do	Colony	14 (b), (e), (f), (g).	June 6, 1973 ...	.....do	Mar. 1, 1974.
Holly Sugar	Torrington	14 (b), (e), (f), (g).	.....do .....	.....do	Oct. 31, 1976.
Do	Worland	14 (b), (d), (f), (g).dodo	Do.
Reeves Concrete	Gillette	14 (b), (e), (f), (g).	Jan. 26, 1973do	Dec. 1, 1973.

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Source	Location	Regulations involved	Date of adoption	Effective date	Final compliance date
Do	Sheridan	14 (b), (e), (f), (g).	.....do .....	.....do	Do.
Do	Buffalo	14 (b), (e), (f), (g).	.....do .....	.....do	Do.
American Colloid	Lovell	14 (b), (e), (f), (g).	June 6, 1974 ...	.....do	Apr. 30, 1974.
Star Valley Swiss Cheese	Thayne	14 (b), (e), (h)	Jan. 26, 1973 ..	.....do	Dec. 31, 1973.
Sheridan Commercial	Sheridan	14 (b), (e), (f), (g).	.....do .....	.....do	Do.
Federal Bentonite	Upton	14 (b), (e), (f), (g).	June 6, 1973 ...	.....do	June 30, 1974.
Do	Lovell	14 (b), (e), (f), (g).	.....do .....	.....do	Do.
Wyo-Ben Products	Greybull	14 (b), (e), (f), (g).	Jan. 26, 1973 ..	.....do	Jan. 30, 1974.
Do	Lovell	14 (b), (e), (f), (g).	June 6, 1974 ...	.....do	Do.
FMC	Kemmerer	14 (e), (f), (g), (i).	Jan. 26, 1973 ..	.....do	Dec. 31, 1976.
Do	Green River	14 (b), (e), (f), (g).	June 6, 1974 ...	.....do	Oct. 31, 1974.
Gunn-Quealy Coal	Rock Springs ...	14 (b), (e), (f), (g).	.....do .....	.....do	Mar. 31, 1974.
Allied Chemical	Green River	14 (b), (e), (f), (g).	.....do .....	.....do	Aug. 1, 1976.
IMC Corp	Colony	14 (b), (e), (f), (g).	.....do .....	.....do	Oct. 31, 1974.
Wyodak Resources Develop	Gillette	14 (b), (e), (f), (g).	.....do .....	.....do	Feb. 28, 1974.
Church and Dwight	Green River	14 (b), (e), (f), (g).	.....do .....	.....do	Nov. 1, 1973.
Wycon Chemical	Cheyenne	14 (b), (e), (f), (g).	Sept. 11, 1975	.....do	June 1, 1976.
Dresser Minerals	Greybull	14 (b), (e), (f), (g).	.....do .....	.....do	Feb. 15, 1976.
Town of Byron	Byron	13	Jan. 26, 1973 ..	.....do	July 1, 1974.
Town of Chugwater	Chugwater	13 .....	.....do .....	.....do	Do.
Town of Cowley	Cowley	13 .....	.....do .....	.....do	Do.
Town of Lovell	Lovell	13	May 24, 1973 ..	.....do	Do.
Big Horn County	Big Horn County.	13	Jan. 26, 1973 ..	.....do	Do.

[41 FR 36653, Aug. 31, 1976, as amended at 51 FR 40676, Nov. 7, 1986]

§§ 52.2626—52.2629 [Reserved]

§ 52.2630 Prevention of significant deterioration of air quality.

(a) The Wyoming plan, as submitted, is approved as meeting the requirements of Part C of the Clean Air Act except that designation of the Savage Run Wilderness Area, as established in Pub. L. 95-237, from Class II to Class I is disapproved.

(b) Regulation for preventing significant deterioration of air quality. The Wyoming plan, as submitted does not apply to certain sources in the State. Therefore, the provisions of § 52.21(b) through (v) are hereby incorporated by reference and made a part of the State Implementation Plan for the State of

Wyoming and are applicable to the following proposed major stationary sources or major modifications:

(1) Sources proposing to construct on Indian Reservations in Wyoming; and

(2) Sources that received an air quality permit from the Wyoming State Department of Environmental Quality prior to September 6, 1979.

(c) The State of Wyoming has clarified the generalized language contained in section 24 of the Wyoming Air Quality Standards and Regulations on the use of the "Guidelines for Air Quality Models." In a letter to Douglas M. Skie, EPA, dated May 18, 1989, Charles A. Collins, Administrator of the Air Quality Divisions stated:

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* * * The Division, will, as a matter of practice, utilize the "Guideline on Air Quality Models" as revised, including Supplement A, in all PSD permit application reviews. The Division will utilize any future revisions to the Guideline in PSD permitting reviews as revisions become effective.

[44 FR 51979, Sept. 6, 1979, as amended at 54 FR 27881, July 3, 1989]

§ 52.2631 [Reserved]

§ 52.2632 Visibility protection. [Reserved]

§ 52.2633 Stack height regulations.

In a letter dated December 9, 1988, to Douglas M. Skie, EPA, from Charles A. Collins, Administrator of The Air Quality Division, the State committed to

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conduct stack height evaluations in accordance with the "Guideline for Determination of Good Engineering Practice Stack Height (Technical Support Document for the Stack Height Regulations)", EPA 450/4-80-023R, June 1985.

[54 FR 11188, Mar. 17, 1989]

§ 52.2634 Correction of approved plan.

The following rules of the Wyoming Air Quality Standards and Regulations have been removed from the approved plan pursuant to section 110(k)(6) of the Clean Air Act (as amended in 1990): Section 7, Hydrogen Sulfide; Section 11, Fluorides; and Section 16, Odors.

[61 FR 47059, Sept. 6, 1996]